

REQUEST FOR PROPOSALS ZONING CODE REWRITE

Issue Date: June 9, 2011

Due Date: July 8, 2011 – 11:00 a.m.

Notice and Instructions to Proposers

1. Proposals must be received in the below office no later than 11:00 a.m. Friday, July 8, 2011, or they will be considered late and may be rejected.
2. Submit **one original** (identify), **seven** complete printed copies and **one** electronic copy on a CD (PDF format) of your proposal. Include all required information as outlined in Section III, Proposal Format/Submittals.
3. Deliver proposals to:

City of Whitewater
ATTN: Kevin M. Brunner, City Manager
312 W. Whitewater Street
Whitewater, WI 53190
4. Late, faxed, e-mailed and/or unsigned proposals will be rejected.

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I. PROJECT DESCRIPTION

A. Purpose

The City of Whitewater is inviting qualified planning and zoning consultants, and multi-disciplinary firms or teams to submit a written proposal in response to this Request for Proposals (RFP) to provide professional services for the purpose of rewriting the city's Zoning Code.

B. Community Background

The City of Whitewater is located in the northwest corner of Walworth County and extends also into Jefferson County. Approximately 80% of the city's population of 14,500 residents (2010 US Census) live in the Walworth County portion of the community with the rest residing in Jefferson County. Whitewater is the home of the University of Wisconsin-Whitewater which has an enrollment of approximately 11,500 students. The University has grown by almost 1,000 students over the last five years and is expected to continue to grow by an estimated 800 to 1,000 students over the next five year period.

It is estimated that by 2030 the city will have a population of 18,500 persons. Whitewater annexed over 1,200 acres in the last several years and has ample room for growth. Because it does not share any borders with any other incorporated municipalities and is unlikely to do so in the future, the city and its residents greatly value its independence and unique town-gown atmosphere. Whitewater's vision, as expressed in the city's Whitewater Next! Strategic Plan and recently adopted Comprehensive Plan, provides a detailed portrayal of the community that residents desire to create and sustain:

Building upon our rich history, we will continue to be a welcoming, safe, and dynamic community. We will embrace the cultural and educational opportunities that the presence of a thriving university and an increasingly diverse population offers.

We will seek to continually improve and make Whitewater strong by fostering public trust and confidence in our government. We will encourage a community characterized by a spirit of openness and fairness that encourages individuals to participate publicly and prosper personally. We will maintain a high quality of life through careful stewardship of all our many resources.

The City has a rich history of planning and zoning. In addition to its 2010 Comprehensive Plan, the City has detailed neighborhood plans for all four of its quadrants, a downtown plan, and a park and open space plan. Its current subdivision ordinance was updated in the early 2000's. The selected consultant will be expected to be familiar with related plans and ordinances and coordinate the zoning code rewrite with their provisions.

C. Project Overview

The purpose of this project is to rewrite the Zoning Code for the City of Whitewater. The selected consultant will perform any required map changes in ArcGIS 10 based upon the current zoning map provided by the City and further will work to minimize the number of changes to the existing zoning designations. The project will involve preparation of conversion from a conventional "Euclidean System" zoning ordinance to a hybrid zoning code, and bring the City's Zoning Ordinance into consistency with the City's Comprehensive Plan. A hybrid code is a combination of the existing Euclidean zoning and a form based code.

The City of Whitewater's current Zoning Code dates from the 1970's, has been amended from time to time since, and does not always reflect best zoning and planning practices. With the adoption of the city's Comprehensive Plan in February, 2010, there is also a need for the Code to be more effective in implementing the land use and housing recommendations contained in the Comprehensive Plan. A copy of the current zoning code can be found at http://library2.municode.com/default-test/home.htm?infobase=16691&doc_action=whatsnew. In 2010, the City updated its zoning map (without substantive changes) utilizing a digital parcel base and ArcGIS 10.

The City of Whitewater would like to transition into a hybrid code approach to create a more logical and understandable Zoning Ordinance. That approach should employ a greater attention to development form and performance, and less concern over strict division of land uses into lists, than the current code. A goal of this rezoning rewrite process will be to avoid rezoning existing property wherever practical.

Vandewalle and Associates of Madison, Wisconsin has provided city planning services to Whitewater since the early 1980's, however, Vandewalle will not be considered to provide the requested project services because the City desires to bring a new perspective to the process and end product. Vandewalle may serve in an advisory capacity to the project steering committee and city staff, and is under contract to provide city planning services through 2013.

D. Project Objectives

1. Work with the City Attorney to assure that the new Zoning Code meets the requirements of Wisconsin State Statutes, and that the City considers amendments to other municipal ordinances to assure compatibility with the new Zoning Code.
2. The City desires a Zoning Code that is based on sound principles of Smart Growth, mixed-use and sustainable development. The City has a strong, on-going sustainability initiative and is interested in learning how some of these principles can be codified.
3. The City desires a Zoning Code that incorporates both land use-based (Euclidean) and form-based zoning provisions. The provisions shall address the design and land use recommendations and provisions of the City's various codes, ordinances and plans. The Code shall include design standards (text and graphics).
4. The City desires a Zoning Code that includes mixed-use zoning district options and attendant regulations for both built-up areas of the city as well as the undeveloped areas of the city.
5. The City desires a Zoning Code that includes provisions that will help the City achieve high-quality infill and redevelopment projects that are sensitive to the context of existing development in the area.
6. The City desires a Zoning Code that includes performance standards such as noise and lighting standards.
7. The City desires a Zoning Code that maintains the fabric of existing neighborhoods.
8. Interface the new Zoning Code with other ordinances of the City in collaboration with the City Attorney. Ensure that the new Zoning Code implements the City's adopted Comprehensive Plan (February, 2010), as may be amended following the Zoning Code rewrite process.
9. The City desires a Zoning Code that contains form-based Sign standards.

10. The City desires a Zoning Code that includes graphics that illustrate regulations and make the Code easy to use. Graphics should be produced and provided to the City in such a manner that involves their easy editing later, and shall not be produced using proprietary software.
11. The City desires a Zoning Code that that is logically organized, easy to read and understand, and is consistent in terms of processes and requirements.
12. Provide for the possible replacement or enhancement of Planned Community Development District (PCD) zoning districts, if feasible, with other appropriate approaches. This district, which is the City's PUD district, has been overused in some people's opinion, which is due in part to the inadequacy of some current standard zoning district options.
13. Identify locations that may become nonconforming, as to actual use of the property or by dimensions, under the proposed code and map, and attempts to minimize nonconforming uses or structures where practical.
14. The City desires a Zoning Map that establishes or maintains a zoning district for all properties within the City and aligns with the Zoning Code text.
15. Provide for a hierarchy of approvals that requires lesser and simpler processes for simpler projects and more process for more complex and controversial projects. Administrative approvals for simple or standard projects should be considered.
16. In addition to the above, the current City Comprehensive Plan identifies the following issues that should be addressed in the Zoning Code rewriting:
 - Revise the zoning ordinance to more clearly and obviously present the City's non-family household size limits, which are currently difficult to locate.
 - Provide a tighter definition for what constitutes a single-family home and consider more careful review of additions based on that definition.
 - Revise lot coverage standards for the City's R-1, R-1X, and R-2 zoning districts to preserve neighborhood character and to limit large backyard parking lots for aesthetic, noise and light control, and stormwater management reasons.
 - Amend the City's R-1 Single-Family Residential District, potentially reducing the minimum lot size and lot width requirements to match or come closer to those same requirements for single-family homes within the R-2 One- and Two-Family Residence District. This will make the R-1 district more widely applicable to existing and future neighborhoods in the City, thereby making it more appealing to map the R-1 district than it is today.
 - Amend the existing R-2 District to allow all forms of duplexes and two-flats (both converted buildings and new buildings) as conditional uses and limit the maximum allowable residential building size to duplexes/two-flats.
 - Consider reducing housing unit occupancy to a maximum of three unrelated individuals in certain areas where R-3 zoned lots abut lands zoned R-1, R-1X, and possibly R-2, as a means to facilitate smoother population density transitions in these areas.
 - Require Plan Commission design review of any proposed increases in the number of bedrooms of pre-existing housing units within planned "Central Area Neighborhood" areas on the future land use map in the comprehensive plan.
 - Rezone lands in a manner that fully supports the City's Neighborhood Preservation Strategy. As an alternative or enhancement to rezoning lands, the City could adjust zoning standards within its residential zoning districts.
 - Promote variation in the appearance of homes, including differences in color and architecture for houses located on the same street. Promote opportunities to locate garages behind the front façade of the house/building. Consider incorporating anti-monotony design standards into the City's zoning ordinance to advance these goals.

- Amend the M-1 District to establish a clearer distinction between this zoning district and M-2 Manufacturing and Miscellaneous District. The M-1 District should truly serve as the City's "light" industrial district, accommodating high quality, indoor industrial and business park-type uses. Currently, the M-1 District allows for a range of industrial uses, including salvage yards, paper mills, and plastic manufacturing facilities. While these types of uses are prohibited in the Whitewater Business Park through the use of covenants, other areas on the Future Land Use map that are classified as Business/Industrial Park would not necessarily be regulated in the same manner without changes to the M-1 district.
- List community gardens as allowable land uses in several zoning districts.
- Require installation of bike racks and pedestrian amenities (e.g., benches, covered entryways) for commercial and industrial projects throughout the City. When reviewing development proposals, consider how the design of the development relates to its accessibility for bicyclists and pedestrians.
- Clarify provisions related to consistency between zoning issues and comprehensive/master plan consistency (e.g., standards for rezoning, CUP, site plan approval).
- Amend lighting standards to no longer restrict against metal halide fixtures, but perhaps to promote new lighting options (perhaps lighting levels can be a little higher if LED is used).
- Clearly define how to calculate "first floor area" for determining the allowable size and placement of wall signs.

E. Expected Outcomes

The result of this process is an innovative Zoning Code that maintains most of its existing Euclidean provisions applied to existing single and multi-family residential, some commercial, and industrial areas, but where possible allows for the application of form-based code provisions and districts for proposed mixed-use neighborhoods, redevelopment areas and some commercial corridors.

The Comprehensive Plan shall be used to guide the zoning code re-write, but revisions to the City's Comprehensive Plan may need to occur, as appropriate, to address and acknowledge new standards developed during the zoning code rewrite process and to assure continued consistency between the Plan and zoning code as required by Wisconsin State Statutes. The Consultant shall provide with a memo recommending Comprehensive Plan wording to address this and necessary map changes to ensure that the new zoning code and Comprehensive Plan are consistent with one another.

F. Consultant Qualifications

Successful Consultants shall have experience with concepts and applications of Hybrid Zoning Codes as well as Form-Based Codes are preferred but not required. Consultants will demonstrate familiarity with innovative zoning concepts and the potential application of these concepts within the City of Whitewater. Consultants will have experience in working with Wisconsin municipalities as well as a good working familiarity with Wisconsin State Statutes.

G. Responsibilities of Staff and Other City Resources

The following data will be made available by the City of Whitewater staff:

1. The City of Whitewater will provide present and historic zoning ordinance information and maps.
2. Existing City plans will be made available upon request:
 - Whitewater Sewer Service Area Plan
 - Whitewater Neighborhood Plans (East, West, North and South)
 - City of Whitewater Municipal Code
 - Housing Market Assessment
 - City of Whitewater Comprehensive Plan
 - Downtown Master Plan
 - Park and Open Space Plan

- City of Whitewater Strategic Plan
- 3. Upon request, the City's GIS Coordinator can provide GIS support and data for the project. The City of Whitewater intends to work with the selected consultant to keep mapping costs to a minimum.
- 4. Staff will assist in project management and administration. Staff will attend all meetings with the Consultant and will act as liaison between the Public and the Consultant.
- 5. Staff will coordinate and schedule all meetings involving the Consultant. City staff will mail all agendas, meeting minutes and meeting information packets.
- 6. Staff will document all meetings and public hearings relevant to the ordinance rewriting process, taking detailed minutes when necessary.

II. SCOPE OF SERVICES

The Consultant or team of consultants (collectively "Consultant") shall provide full professional services as described below to assist the City of Whitewater Plan Commission, City staff, City Attorney, Common Council and others with rewriting the City of Whitewater Zoning Code.

A. Public Participation Plan (PPP)

The Consultant shall propose a broad-based Public Participation Plan (PPP) that specifies how and when the public (including neighborhoods, businesses, the development community and other interested parties) will be engaged throughout the Zoning Code rewrite process. The Proposal shall specify the methods, both formal and informal, it will use to achieve meaningful public participation in the project. The PPP could use a rapid feedback technique, such as image collections and sketches, to show the public the implications of coding techniques. A community-wide charrette is one example of the type of public process desired. It is expected that the participation methods will engage the public and will include opportunities for open houses and more interactive methods.

The Proposal shall provide details of the Public Participation Plan including a timeline that identifies key points at which the public and other key stakeholders will be involved, how that involvement will occur, and how and when materials will be available and presented to the public.

The PPP needs to incorporate the following elements:

1. Zoning Code Rewrite Steering Committee (referred to herein as Steering Committee): Shall consist of 5 to 11 members including resident(s), committee representative(s), Common Council member(s) and staff. It is also expected that the City Attorney will be a member of the Steering Committee and will be kept informed of and involved with all steps of the rewrite process.
2. There shall be meetings with other city committees that deal with relevant issues being analyzed as part of this rewrite process as well as public information meetings. Additional briefings with the Common Council, beyond those identified in the proposed public participation matrix, may be desirable.
3. Certain staff level meetings have been proposed; however, the number and frequency may relate to the situations presented during the rewrite process.

The Public Participation Matrix, as shown in Attachment A to this RFP, provides a proposed PPP for public meetings as well as potential staff meetings. The responder to this proposal may choose to alter the matrix and meeting frequency and if proposing to do so, shall provide an alternate public participation matrix using the same format as that provided herein, for ease of comparison.

The Consultant shall be responsible for producing meeting materials, visual presentations, or any other resources or material necessary to engage the public. The Consultant shall provide technical capabilities for graphically communicating needed information. The Consultant shall also consider

multiple means of obtaining input both during and outside of identified meetings.

The Consultant will also be required to provide information for the City's website or host a webpage devoted solely to the City's Zoning Code Rewrite. As city staff may deem appropriate, the consultant will provide materials including text, photographs, maps, renderings, and other images for the web site. The website will contain handouts and plan documents as distributed at the various meetings, help explain the project's process and progress, and provide a forum for the public to record comments and suggestions throughout the process. It is expected that the Consultant will keep the website up-to-date with current information and documents throughout the rewrite process.

Deliverables:

1. Following selection, the Consultant shall provide the City with a final Public Participation Plan (PPP), adapted from the version contained in its proposal, for City review and approval that includes a detailed strategy and timeline for engaging the public and all stakeholders in the Zoning Code rewrite process. The proposal should include a description of the PPP as well as a complete Public Participation Matrix (See Attachment A).
2. The Consultant shall implement its City-approved Public Participation Plan (PPP). The Consultant in consultation with the City's Zoning Code Rewrite Project Manager (Mary Nimm) shall be responsible for arranging and facilitating all public meetings/presentations. The Consultant shall be responsible for producing meeting materials, visual presentations, or any other resources or material necessary to engage the public.
3. The Consultant shall provide information for the City's website or host a web page devoted solely to the City's Zoning Code Rewrite that will provide detailed information and documents and will provide a forum for the public to record comments.

B. Project Orientation

At the outset of the project, the Consultant shall meet with City staff, Steering Committee and the Plan Commission for a project orientation meeting in order to provide an understanding of project goals and the project schedule, specific issues, City policies, interagency interaction, opportunities and/or problems relating to growth and development within the City. The Consultant shall be responsible for reviewing and understanding the City's Comprehensive Plan, other City plans and policies as identified by the City, and all relevant and applicable local, state and federal laws.

The Consultant shall communicate its strategy for introducing the project to the general public and others, as identified in the approved PPP. The strategy shall be designed to foster and develop a common understanding of the project scope.

Deliverables:

1. The Consultant shall be responsible, in consultation with the City's Zoning Code Rewrite Project Manager, for arranging and facilitating a project orientation meeting with the City Steering Committee, City staff and the Plan Commission. The Consultant shall be responsible for preparing materials as well as arranging and facilitating all public meetings/presentations.

C. Issue Identification Analysis

The Consultant shall implement its approach for gathering broad-based input about existing land use conditions, zoning code and map. City staff, Steering Committee, the Plan Commission, City boards, commissions and committees, the general public, stakeholders, and other consultants shall be asked for their input concerning current Zoning Code requirements, administration procedures, Zoning Code

deficiencies, variance activity, suggested changes and implementation procedures. The Consultant shall prepare a draft and final issue identification memorandum that summarizes the input gathered during the issue identification process.

Deliverables:

1. The Consultant shall implement its approach for gathering broad-based input about the current Zoning Code and map. The Consultant in consultation with the City's Project Manager shall be responsible for arranging and facilitating all public meetings, presentations, workshops, etc. The Consultant shall be responsible for preparing materials and meeting minutes.
2. One original copy of a draft and final memorandum that summarizes input the Consultant received about the existing Zoning Code and map during the issue identification process.
3. Electronic (Microsoft Word & PDF) file on the draft and final Issue Identification memorandum.

D. Draft Zoning Code

The Consultant shall complete a thorough analysis and evaluation of Whitewater's current Zoning Code. This analysis and evaluation shall be made against the issues identified in the issue identification process, applicable federal, state and local laws, the Consultant's experience with or knowledge of best practices in other communities, and the Consultant's knowledge of innovative zoning and land use practices such as hybrid zoning codes (i.e. codes that incorporate form-based and conventional land use-based provisions) and form-based codes.

The analysis and evaluation shall assess the strengths and weaknesses of the existing Zoning Code in terms of its structure, organization, clarity, ease of use, existing zoning districts and district standards, general regulations, definitions, and zoning code procedures. Further, it shall include the Consultant's findings regarding how well the current Zoning Code is integrated with other City Ordinances and Plans. The Consultant shall evaluate other city ordinances, the Comprehensive Plan and related documents to ensure consistency and integration. The Consultant shall identify areas of conflict or potential conflict and recommend alternative solutions.

The Consultant shall provide a summary of consistencies or inconsistencies between the current Zoning Code and map and the City's Comprehensive Plan and other City plans, policies and ordinances. Part of this analysis shall include the review of the City's current Zoning Code map to identify areas of the City where there is a mismatch between the zoning district designation and the desired land use as recommended in the plans. The Consultant shall also gauge the public's perceptions about the strengths and weaknesses of the current Zoning Code and map. The Consultant shall analyze the recommendations of the City's Comprehensive Plan and the City's neighborhood plans to determine whether there are regulatory frameworks that would help implement those plans.

Deliverables:

1. One original copy of the technical analysis and evaluation report concerning the current Zoning Code and discussion of new zoning concepts and approaches, including alternative approaches and solutions to PCD zoning, with particular reference to the desired outcomes of this zoning code rewrite process presented in Section I of this RFP.
2. Electronic (PDF) file of the technical analysis and evaluation report.
3. Present technical analysis and evaluation report and Issue Identification memo to City staff and the Steering Committee.

E. Annotated Outline

The Consultant shall identify and discuss new zoning concepts and approaches for potential inclusion in the draft Zoning Code, with special attention given to addressing the project objectives and the results of the issue identification and zoning code analysis tasks. Based on this information, the Consultant shall prepare an annotated outline that includes a chapter-by-chapter detailed description of the proposed new Zoning Code, an overview of the proposed structure and substance of the new Zoning Code, a discussion of zoning options, and a commentary explaining the rationale for the recommended approach to drafting the Zoning Code.

The annotated outline shall include examples of how the new Zoning Code would be used to implement the recommendations of the Comprehensive Plan and neighborhood plans. The Consultant shall present the annotated outline to City staff, the Steering Committee, and other City boards and commissions as deemed appropriate by the City and others for review and comments. After obtaining general agreement on the contents of the initial draft of the annotated outline, the Consultant shall provide the City with a final annotated outline, based on the comments received.

Deliverables:

1. Meeting(s) with the Steering Committee, City staff and others (note: joint meetings with the Plan Commission and Common Council may be scheduled during strategic points of the zoning rewrite process). The Consultant in consultation with the City's Project Manager shall be responsible for arranging and facilitating all meetings. The Consultant shall be responsible for preparing meeting minutes.
2. One original copy of the draft annotated outline.
3. One original of the revised, final annotated outline.
4. Electronic (PDF) files of all documents.

F. Discussion Draft Zoning Code (2 Drafts)

The Consultant shall prepare a discussion draft Zoning Code that is based on the final annotated outline. The discussion draft should be presented in distinct modules that will permit easy review. The modules may include: (a) definitions; (b) general provisions; (c) zoning district regulations and permitted uses; (d) dimensional and development standards; (e) form-based zoning provisions; (f) special development standards; and (g) administration and enforcement. The Consultant may present an alternative approach to presenting the discussion draft for review and comment. The discussion draft shall include extensive use of graphics, tables, flow charts, matrices and other methods for facilitating easy use and understanding of the Code. The Consultant shall also provide a working zoning map that shows how the Zoning Code will be mapped for representative sub-areas of the City.

The Zoning Code and its graphic and other components should be:

- Updatable;
- Limited use of color; color to be used as appropriate for geographic representations;
- Easy to read, understand and follow; and
- Be drafted in both Microsoft Word and Adobe In-Design formats.

After initial review and comments by City Staff, Steering Committee, and the Plan Commission, the discussion draft shall be widely distributed to the public for review and comment. The Consultant shall, through the PPP, propose an approach for soliciting broad-based input about the discussion draft from City boards, commissions and committees; the general public; stakeholders and others.

The Consultant in consultation with the City's Project Manager shall be responsible for arranging and facilitating all public meetings. Following discussion and review the Consultant shall provide a revised discussion Draft Zoning Code for further review.

The Consultant is expected to test the discussion draft standards to demonstrate how various proposed development standards would actually be implemented in various neighborhoods, corridors, commercial areas, and other parts of the city. This could be achieved through testing the proposed development standards on model site plans, using plans of actual projects being proposed by local developers, or through projects recently approved by the city. The testing period should identify effectiveness, appropriateness, practical problems, and other inadvertent impacts of the Code. The Consultant shall report and discuss the results with the City. Upon completion of the testing period and discussion of the results, the Consultant shall update the Draft to include revisions deemed appropriate by the City.

The Consultant shall describe its approach to conducting the discussion draft Zoning Code evaluation, testing and revision process. It is expected that the discussion draft will have multiple rounds of drafting, circulation, revisions, testing, evaluation and recirculation.

The proposal shall include the projected number of meetings/presentations/workshops, etc. the Consultant will conduct in order to gather input and complete review and revisions of the discussion draft. These meetings/presentations, etc. are anticipated to be part of the development of a consensus public hearing draft Zoning Code document and not part of the public hearing review and adoption process.

Deliverables:

1. One original copy of the discussion draft Zoning Code.
2. Electronic (PDF) file of the discussion draft Zoning Code.
3. Meetings/presentations, etc. with the Steering Committee, Common Council, Plan Commission, City staff, general public and others (to the greatest extent possible these will be combined meetings) to review the discussion draft Zoning Code. The Consultant, in consultation with the City's Project Manager, shall be responsible for arranging and facilitating all meetings/presentations.
4. The Consultant shall implement its approach to soliciting input from the general public and other Zoning code users about the discussion draft Zoning Code.
5. The Consultant shall work with the City to evaluate, test and revise the discussion draft Zoning Code and the working map.
6. The Consultant shall modify the discussion draft Zoning Code and working map as needed.
7. One original copy of the revised discussion draft Zoning Code.
8. Electronic (PDF) file of revised discussion draft Zoning Code.

G. Public Hearing Draft Zoning Code

After City staff, Steering Committee, Common Council, Plan Commission and public consideration and evaluation of the discussion draft Zoning Code and map, the Consultant shall prepare a public hearing draft Zoning Code. In addition, the Consultant shall prepare an executive summary explaining the public hearing draft and changes from the current zoning code, including the rationale for such changes. The executive summary will be distributed to the general public and the media

prior to the public hearing. This material shall be available two (2) months in advance of the public hearing.

Deliverables:

1. One original copy of the public hearing draft of the Zoning Code.
2. One original copy of the public hearing draft Zoning Code executive summary.
3. Paper on recommended alterations to Comprehensive Plan, and other relevant codes from review.
4. Electronic (PDF) file of the public hearing draft Zoning Code and executive summary.

H. Attend Public Hearings, Revise Zoning Code, & Final Adoption

The Consultant shall present the public hearing draft of the proposed Zoning Code at a public hearing of the Plan Commission, explain its contents, respond to questions and revise the Zoning Code and map as directed by the Plan Commission. The revised Zoning Code, as recommended by the Plan Commission, will serve as the drafts on which the Common Council takes final action to adopt them. The Consultant shall then present the revised Zoning Code, as recommended by the Plan Commission, to the Common Council for final adoption.

Deliverables:

1. Consultant to attend Plan Commission public hearing at which the proposed Zoning Code is considered.
2. One original copy of the revised, post-public hearing consensus draft of the Zoning Code.
3. Electronic (PDF) file of revised, post-public hearing consensus draft of the Zoning Code.
4. Consultant to attend the Common Council meeting at which the proposed Zoning Code, as recommended by the Plan Commission, is acted on.

I. Zoning Code Implementation

The Consultant shall create and assist City staff and the Plan Commission with a strategy of implementation of the new Zoning Code including formatting a web-friendly Zoning Code and training for staff and the public on using the new Code. The Consultant shall provide a final copy of the adopted Zoning Code in hard copy, modifiable electronic and web-friendly formats. The Consultant shall assist with training City staff and the public on using the new Zoning Code.

Deliverables:

1. The Consultant shall provide any needed support in the form of presentation aids, graphics or other materials.
2. A reproducible hard copy of the adopted Zoning Code.
3. An electronic (Microsoft Word and Adobe In-Design formats) file of the adopted Zoning Code and all of its components in the commercial software form within which all components were originally prepared.

4. A web-friendly version of the adopted Zoning Code.
5. Assistance with training City staff and the public on using the new Zoning Code.

III. PROPOSAL FORMAT / SUBMITTALS

A. Proposal Organization and Format

To aid in the evaluation, it is desired that all proposals follow the same general format. The proposals are to be submitted in binders and have sections tabbed with proposal information as outlined in the categories/criteria as detailed in Section C, Required Submittals.

Submit seven complete sets (1 identified original + 7 printed copies) plus 1 electronic CD format of proposals. Proposals should be typed and submitted on 8.5"x11" inch paper bound securely; maps included can be 11"x17".

B. General Submittal Information

The response to the RFP should be succinct but comprehensive and shall include suggested approaches related to the Consultant's ability to achieve the City's project objectives and scope of services. The Consultant may propose modifications to the suggested scope of services if it believes it will better achieve the project objectives.

C. Required Submittals

A submitted proposal should include the following:

- A cover letter and executive summary providing the highlights and basic information included in the proposal.
- A description of your organization including general information about the firm and a description of the firm's capabilities and experience with projects of equal or greater scope to the project outlined in this RFP. Please specify the experience that your firm has in assisting Wisconsin municipalities in similar work, your firm's familiarity with Wisconsin State Statutes and your firm's experience in working with form-based and/or hybrid zoning codes.
- A description and resumes of the individuals on your team that will be directly involved with the project, their roles, and specific indication of the project manager.
- Describe your firm's approach to the project identifying concepts, techniques or tools that may be used to accomplish the tasks set forth in this RFP, as well as potentially beneficial services beyond those requested.
- Provide a detailed project time schedule with the date of initiation of work, and a project completion date not to extend beyond December 31, 2012.
- Provide a list of what is expected of the City including proposed use of city staff, office space, equipment and materials/supplies.
- Provide a work plan that defines how you will produce the deliverables requested in this RFP. This should include descriptions of the quality control procedures that will be used and any sub-consultants or associations with other firms that will be used and their respective responsibilities.
- Provide a cost estimate of professional fees to undertake each task in the Scope of Services. The cost estimate should include labor costs by person/position, any mark-up for fringe benefits, overhead, profit and other direct expenses such as transportation, housing, printing, etc. The project will be a lump sum contract. In addition, please provide a cost breakdown by Scope of Services element; please provide this in the following manner:

Cost Breakdown Per Scope of Services Element	
Element	Cost (\$)
A. Public Participation Plan (PPP)	
B. Project Orientation	
C. Issue Identification Analysis	
D. Zoning Code Analysis/Evaluation	
E. Annotated Outline	
F. Discussion Draft Zoning Code	
G. Public Hearing Draft Zoning Code	
H. Public Hearings, Revisions & Final Adoption	
I. Zoning Code Implementation	

- Provide an estimate of per meeting costs for additional meetings or other work performed beyond that described in the Scope of Services. This work will be performed on a requested/as needed basis.
- Provide samples of comparable work that your firm has completed as well as resumes of all staff that will be assigned to complete tasks related to this RFP. One copy of each representative project sample is sufficient and will be returned upon request. If intending on engaging any subcontractors, please provide the same information for all subcontractors.
- Provide a statement that the Consultant has no conflict of interest with past, present or known future policies, plans or programs of the City.
- Completed versions of RFP Forms A,B and C, included later in this RFP.

IV. ADMINISTRATIVE INFORMATION

A. Due Date

Proposals are due at 11:00 a.m. on Friday, July 8, 2011. Proposals should be mailed to the address on the front page or hand delivered to the 2nd floor of the Whitewater Municipal Center (Administrative Offices).

B. Calendar of Events

Listed below are estimated dates and times of actions related to this Request for Proposals (RFP).

DATE	EVENT
June 9, 2011	RFP issue date
June 21, 2011	Pre-Submission Meeting
July 8, 2011	Proposals due
Late July	Consultant Interviews
Early August	Contract Negotiations/Contract Approval by Common Council

Please Note: These dates are for planning purposes only. They represent the City's desired timeline for implementing this project. The timeline may be adjusted, however, as needs and circumstances dictate.

C. Inquiries and Clarification of Specifications

Staff will not provide direct individual responses to phone calls, emails or other inquiries related to this proposal, instead, interested firms are asked to submit their questions either via email or regular mail to the following staff contact by Wednesday, July 6, 2011.

Mary Nimm
City of Whitewater
312 W. Whitewater Street
Whitewater, WI 53190
mnimm@whitewater-wi.gov

Inquiries may also be made during a pre-submission meeting to be held in the Whitewater Municipal Center Community Room, 312 W. Whitewater Street, Whitewater, WI at 2:00 p.m. on Tuesday, June 21, 2011. Inquiries and responses will also be posted to the City's website following the meeting.

D. Proposal Content

The evaluation and selection of a Consultant and the contract will be based on the information submitted in the Consultant's proposal plus references and any required interview and/or presentation. Failure to respond to each of the requirements in the RFP may be the basis for rejecting a response.

E. Evaluation of Proposals

Proposals will be evaluated based upon the experience of the firm and project team, familiarity with Wisconsin law, the ability to complete the project in a timely manner, public participation, project approach and project cost.

F. Proposer Qualifications

The City of Whitewater may make such investigations as it deems necessary to determine the ability of the Proposer to perform the work, and the Proposer shall furnish to the City all such information and data for this purpose, as the City may request. The City reserves the right to reject any proposal if the evidence submitted by, or investigated of, such Proposer fails to satisfy the City, that such Proposer understands the full scope of work and is properly qualified to carry out the obligations of the contract and to complete the work contemplated herein.

G. Acceptance / Rejection of Proposals

1. The City reserves the right to accept or reject any or all statements of proposal submitted, in whole or in part, and to waive any informalities or technicalities which at the City's discretion are determined to be in the best interests of the City. Further, the City makes no representations that a contract will be awarded to any Proposer responding to this request. The City expressly reserves the right to reject any and all proposals responding to this invitation without indicating any reasons for such rejection(s). The City reserves the right to negotiate with any proposer it deems suitable to carry out this project.
2. The City reserves the right to postpone due dates for its own convenience and to withdraw this solicitation at any time without prior notice.

H. Property

All documents, graphics, maps and exhibits produced by the successful proposer as part of this planning project shall be provided to the City, become the property of the City of Whitewater, and are to be available for use by the City in any manner the City deems appropriate.

I. Consultant Interviews / Oral Presentations

Proposers who are deemed most eligible for an interview and oral presentation will be notified of the intended time, date, location and format as determined by the City.

J. Incurring Costs

This request for proposals does not commit the City to award a contract, pay any costs incurred in preparation of these applications, or to procure or contract for any services.

K. Service Agreement

The City will require the selected professional service provider to use the City's standard professional service agreement.

L. Minimum Insurance

Comprehensive General Liability	\$1,000,000 occurrence / \$2,000,000 aggregate
Auto Liability	\$1,000,000 occurrence / aggregate
Worker's Compensation / Employer's Liability	Statutory
Excess Liability	\$1,000,000 occurrence / aggregate
Professional Liability	\$1,000,000 occurrence / aggregate

M. Conflict of Interest

Consultant and subconsultants shall identify any group, individual or organization that they may have worked for, or currently work for, that has had ownership, lease, development, related or similar interest in the City of Whitewater. The City reserves the right to reject any proposal or proposer who it feels has a conflict of interest.

RFP FORM A: SIGNATURE AFFIDAVIT

The undersigned, submitting this proposal, hereby agrees with all the terms, conditions, and specifications required by the City in this Request for Proposal and declares that the attached proposal and pricing are in conformity therewith.

Proposal shall provide the complete information requested below. Include the legal name of the Proposer and signature of the person(s) legally authorized to bind the Proposer to a contract.

Proposal Invalid Without Signature	
Signature of Proposer:	Date:
Name and Title of Proposer:	Company Name:
Telephone:	Address:
Fax No:	

Contact Person (If different from above)	
Name:	Title:
Telephone:	Company Name:
E-mail:	Fax No:

RFP FORM B: CONSULTANT PROFILE

1. **Proposing Company Name:** _____
2. **FEIN:** _____ **OR Social Security No. (If Sole Proprietorship):** _____
3. **Form of Organization:** _____
4. **Location of Main Office:**
Address: _____
City: _____ State: _____ Zip + 4: _____
5. **Location of Office servicing City of Whitewater account:**
Address: _____
City: _____
6. **Principal Information and Contact:**
Name: _____ Title: _____
Tel: _____ Toll Free Tel: _____
Fax: _____ E-mail Address: _____
7. **Contact Person in the event there are questions about your proposal:**
Name: _____ Title: _____
Tel: _____ Toll Free Tel: _____
Fax: _____ E-mail Address: _____
8. **Mailing address where City purchase orders/contracts are to be mailing and person the Department can contact concerning orders and billing:**
Name: _____ Title: _____
Tel: _____ Toll Free Tel: _____
Fax: _____ E-mail Address: _____
Address: _____
City: _____ State: _____ Zip + 4: _____

RFP FORM C: CONSULTANT REFERENCES

For Consultant: _____

Provide municipality/company name, e-mail address, contact person, telephone number, and appropriate information on service(s) previously provided with requirements similar to those included in this RFP. If consultant is proposing any arrangement involving a third party, the named references should also be involved in a similar arrangement.

Municipality/Company Name - _____

Address (include ZIP) _____

Contact Person _____

E-mail Address _____

Service(s) Used _____

Company Name _____

Address (include ZIP) _____

Contact Person _____

E-mail Address _____

Service(s) Used _____

Company Name _____

Address (include ZIP) _____

Contact Person _____

E-mail Address _____

Service(s) Used _____

Company Name _____

Address (include ZIP) _____

Contact Person _____

E-mail Address _____

Service(s) Used _____

ATTACHMENT A: PROPOSED PUBLIC PARTICIPATION MATRIX

<i>Rewrite Stage</i>	<i>Phase I</i>	<i>Phase II</i>	<i>Phase III</i>	<i>Phase IV</i>
PROJECT ORIENTATION Staff Steering Committee Public Information (Invite Plan Commission) Steering Committee				
ISSUE IDENTIFICATION Steering Committee Public Information Steering Committee(if necessary) Plan Commission/Common Council				
ZONING CODE ANALYSIS Staff Steering Committee Plan Commission/Common Council				
ZONING CODE OUTLINE Staff Steering Committee Public Information Steering Committee (if necessary) Plan Commission/Common Council				
CODE DRAFTING* Staff Steering Committee Plan Commission/Common Council				
CODE REVIEW Public Information Steering Committee				
CODE REVISION Staff Steering Committee Plan Commission				
PC PUBLIC HEARING Plan Commission				
PC CONSIDERATION Plan Commission				
PC REVISIONS Staff				
COUNCIL PUBLIC HEARING Common Council				
COUNCIL ADOPTION Common Council				

*Note – A series of meetings will need to be held for this rewrite stage. Proposer should identify the number of meetings per module breakdown.

Additional Meetings:

Staff level meetings will be held during the business day. Additional meetings, beyond what is identified here, may be required.

It is expected that legal review will be ongoing throughout the rewrite process and that the Consultant, along with City Staff, will keep the City Attorney informed with updated information.